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EXAMINER	
KOYAMA, KUMIKO C	

ART UNIT	PAPER NUMBER
2876	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/987,597	RAJASEKHARAN, AJIT V.	
	Examiner	Art Unit	
	Kumiko C. Koyama	2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-70* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-70* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *042103, 030404, 090203*
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Acknowledgement is made of receipt of Amendment filed on June 11, 2003.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 18, 19, 21, 22, 31, 34, 38, 52 and 56 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu (US 5,480,306, as cited by the Applicant).

Liu teaches a method and apparatus for providing information relevant to a physical world by reading a bar code associated with a sound data and the code is converted into a memory address pointer pointing to the initial address of the memory area in which the digital sound or pronunciation is stored and the sound applied to a loud speaker system (col 2 lines 35+). Liu teaches that the bar code is printed on visible media, such as paper and plastic slides. The conversion from the bar code to the digital code then to an address pointer is considered be normalizing a read object label associated with object into an object identifier as discussed above. And placing the object identifier into an index table repository and binding the content to the object identifier are taught in Fig 5A and Fig 5B.

Re claim 19: Liu teaches that the language learning apparatus contains a digital sound data memory means (col 6 lines 30-32).

Re claim 52: Liu teaches that the memory control means 5 may properly retrieve the desired digital speed data of the word from the memory means 6, which inherently shows that there is not pattern or sequential order for accessing, therefore it is randomly accessible.

Re claim 56: The apparatus is a purpose build device targeted to read bar code.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 1-5, 9, 13, 16, 29, 30, 39-42, 57, 58, 61-63, 65-66 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (US 5,480,306) in view of Savchenko et al (US 6,111,567).

Liu teaches a method and apparatus for reading a bar code associated with a sound data and the code is converted into a memory address pointer pointing to the initial address of the memory area in which the digital sound or pronunciation is stored, converted to an analog signal, and the sound applied to a loud speaker system (col 2 lines 35+). The apparatus 10 is considered to be a circuitry. Liu teaches that the bar code is printed on visible media, such as paper and plastic slides. Liu teaches that the apparatus having a memory and a speaker means for outputting the sound (col 6 lines 22-59).

Liu fails to teach a method for authoring information and a system for authoring the content.

Savchenko teaches methods of authoring multimedia titles (col 1 lines 8-10).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to create a well organized system so that minimal memory is utilized, but at the same time provide a good quality sound and maintain the flow of the music or sound produced.

Re claim 2 and 3: Liu fails to teach that the system for authoring content is resident in the apparatus.

Savchenko teaches that the execution instructions for the authoring tool are contained in the memory (col 4 lines 39-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to provide a multifunctional apparatus so that the user may author and playback the sound according to his/her preference utilizing only one apparatus, which avoids complicated connections between multiple devices.

Re claim 9: Liu fails to teach that the step of storing the content in non-volatile memory resident in the apparatus.

Savchenko teaches that a computer application 42 is stored in the non-volatile memory 34 (col 4 lines 37-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to safely store the content so that the content is not easily changed or modified by others.

Re claim 13: Savchenko further teaches a computer readable storage media having instructions for authoring information (col 4 lines 39-47).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to speed up the process by storing all the instruction in the memory and have the processor access and execute the instructions instead of loading or inputting the instructions one-by-one by the user.

Re claim 16, 29 and 30: In addition to Liu as modified by Savchenko discussed above, the conversion from the bar code to the digital code then to an address pointer is considered be normalizing a read object label associated with object into an object identifier as discussed above. And placing the object identifier into an index table repository and binding the content to the object identifier are taught in Fig 5A and Fig 5B.

Re claim 42: Liu teaches that rendering digital multimedia as a function of output capabilities of the apparatus (col 6 lines 50-58).

Liu fails to teach programming that renders digital multimedia as a function of output capabilities.

Savchenko teaches a computer application 42 that executes instructions (col 4 lines 36-45).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to provide the proper sound signal that matches the output characteristics of the apparatus so that the user can listen to a good quality sound with less background noise and interruption.

Re claim 61: Liu teaches that a keyboard for inputting information (col 1 lines 13-25).

5. Claim 6 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 above and Liu as applied to claim 18, and further in view of Cave (US 5,958,014). Liu as modified by Savchenko and Liu have been discussed above.

Liu as modified by Savchenko and Liu fail to teach that the content is a link to a live agent.

Cave teaches device having audio capabilities and can be connected to a live agent (col 1 lines 65+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cave to the teachings of Liu as modified by Savchenko in order to provide a two-way audio or text exchange to communicate with each other without remembering or dialing numbers, which also makes the process faster.

6. Claim 7, 14, 36, 37, 47 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 and 13 above and Liu as applied to claim 38, and further in view of Conley, Jr. et al (US 6,434,745).

Liu teaches receiving a plurality of optical codes (col 7 line 45).

Therefore, it would have been obvious to utilize the steps of Liu as modified by Savchenko and repeat steps for as many coded labels necessary because it is a mere duplication of process.

Liu as modified by Savchenko fails to teach aggregating the content into a single logical entity called a tour.

Conley teaches that a tour component of the browser 8 allows the end-user to identify one or more URLs and save them into a group called a tour and to create one or more such tours, and to save each tour to a searchable local tour database on the end-user computer 14 similar to the searchable local image database.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Conley to the teachings of Liu as modified by Savchenko in order to organize the data so that related data are grouped in the same group. Such modification helps and speeds up the searching process when the data needs to retrieved because the data are located in one specific location.

7. Claim 8, 15, 32, 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1 and 13 above and Liu as applied to claim 31 above, and further in view of Brooks et al (US 4,963,719).

Liu as modified by Savchenko fails to teach detecting a second label associated with the first object and normalizing the first label and the second label such that the content bound to the first object can rendered during detection of either the first or second label in the playback mode.

Brooks teaches two labels associated with the same object, two labels attached to an object and detecting two of the labels (Fig 2, col 2 lines 26+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Brooks to the teachings of Liu as modified by Savchenko so that plurality of bar code labels having the same sound or data may be provided on different or multiple appliances for duplication or convenience purposes.

8. Claim 10, 11, 12, 20, 25, 43-45 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 1, 40 and 63 above and over Liu as applied to claim 18 above, and further in view of Cluts (US 5,616,876). Liu as modified by Savchenko and Liu have been discussed above.

Re claim 10, 20, 43 and 64: Liu as modified by Savchenko and Liu fail to teach a step of uploading and downloading the content to a remote server.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because a remote server may provide more memory or storage space, which allows more data and information to be stored.

Re claim 11 and 45: Liu as modified by Savchenko fails to teach that the step of uploading is performed via a wireless network.

Cluts teaches a communication link is wireless (col 7 lines 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because it does not require wired connection, therefore provides mobility and convenience.

Re claim 12 and 44: Liu as modified by Savchenko fails to teach that the step of uploading is performed via a wired network.

Cluts teaches a communication link is wired (col 7 lines 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because the possibility of data loss or corruption in transferred data decreases, therefore the modification provides a more accurate transmission of the data.

Re claim 25: Liu fails to teach that the step of rendering the content comprises streaming the content from a remote server.

Savchenko teaches rendering the content comprise streaming the content (col 1 lines 28-31).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Savchenko to the teachings of Liu in order to transmit the sound file through communication links using industry standards, such as MPEG standards.

Liu as modified by Savchenko fails to teach a remote server.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Savchenko because a remote server may provide more memory or storage space, which allows more data and information to be stored.

9. Claim 17, 60 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claims 16, 57 and 63 above, and further in view of Bridgelall (US 6,264,106). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fail to disclose that the instructions allow a plurality of different label types to be normalized to one object identifier.

Bridgelall teaches a combination bar code scanner/RFID circuit for reading bar code or RFID (col 2 lines 20+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Bridgelall to the teachings of Liu as modified by Savchenko because bar code and RFID tags are commonly known forms of identification and combining those two functions into one device will provide the flexibility of reading different types of codes.

10. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 18 above, and further in view of Fan et al (US 6,324,165). Liu has been discussed above.

Liu fails to teach determining the current time and comparing the current time to the timestamp before rendering the content.

Fan teaches a timer issuing a current time and a comparator for comparing the queue timestamp to the current time (col 27 lines 7-12).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Fan to the teachings of Liu in order to provide a data that corresponds to the current time by checking to see if the current time and timestamp corresponds to each other.

11. Claim 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 18 above, and further in view of Boulton et al (US 5,566,291). Liu has been discussed above.

Liu further teaches that the language learning apparatus contains a digital sound data memory means (col 6 lines 30-32).

Liu fails to teach that the steps of accepting annotations/feedback after the rendering of the content and binding the annotations/feedback to the object identifier.

Boulton teaches an object identifier field 200 that stores an object identifier which references an object the user may be referencing with his or her feedback information. In Boulton's feedback system, objects can be used to further define the context when the feedback is provided (col 25 lines 55+).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Boulton to the teachings of Liu in order to enhance the content and provide a better quality sound, image, etc. to the user by editing or making additional comments to the content.

12. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Boulton as applied to claim 26 above, and further in view of Cluts.

Liu as modified by Boulton fails to disclose the step of storing the annotations/feeback in a remote memory.

Cluts teaches a remote server 34 utilized to transmit programming information for storage by one or more of the memory storage devices 30 (col 14-27).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cluts to the teachings of Liu as modified by Boulton because a remote server may provide more memory or storage space, which allows more data and information to be stored.

13. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko and Cluts as applied to claim 45 above, and further in view of Aguirre et al (US 6,195,531). Liu/Savchenko/Cluts have been discussed above.

Liu/Savchenko/Cluts fails to teach that the wireless network comprises a cellular telephone network.

Aguirre teaches a cellular telephone network (col 3 lines 26-40).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Aguirre to the teachings of Liu/Savchenko/Cluts because it is a widely used wireless network method for providing a safe and reliable data transmission, which enhances the accuracy of the data being transmitted.

14. Claim 48 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Cole et al (US 6,359,711). Liu have been discussed above.

Liu fails to disclose that the apparatus accesses the tour via the internet and a voice portal.

Cole teaches a portable computer with access methods of voicemail and internet (col 2 lines 10-15).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cole to the teachings of Liu because it is a fast method to communicate and transmit data using a conventional phone line, which is commonly available.

15. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Aguirre and Cole.

Liu fails to teach that the apparatus accesses the tour via a cellular telephone voice mailbox.

Aguirre teaches a cellular telephone network (col 3 lines 26-40).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Aguirre to the teachings of Liu/Savchenko/Cluts because it is a widely used wireless network method for providing a safe and reliable data transmission, which enhances the accuracy of the data being transmitted.

Cole teaches a portable computer with access methods of voicemail and internet (col 2 lines 10-15).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Cole to the teachings of Liu because it is a fast method to communicate and transmit data using a conventional phone line, which is commonly available.

16. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Krueger (US 5,598,540). Liu has been discussed above.

Liu fails to teach that the digital multimedia is accessible by the apparatus in a sequential order.

Krueger teaches accessing the stored data only in sequential order (Abstract).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Krueger to the teachings of Liu in case

presentation of the digital multimedia must be in a certain order for the user to understand certain topics before achieving the next data so that the next data makes more sense to the user.

17. Claim 54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as applied to claim 38 above, and further in view of Ramachandran (US 6,315,195). Liu has been discussed above.

Liu fails to teach that the apparatus comprises a personal digital assistant and a cellular telephone.

Ramachandran teaches a portable terminal 14 that reads bar codes and also may be integrated into a carrier 62, which may be a personal digital assistant or a cellular phone (col 8 lines 23-26, col 9 lines 35-42).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Ramachandran to the teachings of Liu because both personal digital assistant and cellular phones have the capability of storing information and also wirelessly transmitting information through internet and other communication methods, which enhances the voice data and play back as well.

18. Claim 59 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 57 and 63 above, and further in view of Chen et al (US 5,869,820). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fails to teach that the circuitry comprises an IR tag reader.

Chen teaches an infrared tag reader (col 8 line 5).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Chen to the teachings of Liu as modified by

Savchenko because IR tags are readily available tags that are also used for identification purposes and it utilizes wireless communication, which provides mobility and faster process.

19. Claim 68 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu as modified by Savchenko as applied to claim 63 above, and further in view of Bertram et al (US 5,613,137). Liu as modified by Savchenko have been discussed above.

Liu as modified by Savchenko fails to teach a circuitry determining a coordinate location.

Bertram teaches a coordinate determining circuitry 302 configured to determine corresponding locations of the touch on the coordinate sensor (col 15 lines 20-28). Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Bertram to the teachings of Liu as modified by Savchenko in order to determine the location of the touch pad sensor input that provides the information regarding the identification of the content to be retrieved and played back.

Response to Arguments

20. Applicant's arguments filed June 11, 2003 have been fully considered but they are not persuasive.

The Applicant submits that Liu fails to disclose, "normalizing information contained in the detected label into an object identifier" and "an apparatus for detecting the machine readable labels and including programming for normalizing information contained in the detected label into an object identifier." The examiner respectfully disagrees.

In response to the above arguments, the examiner submits that the Applicant does not specifically define or describe what is contained the process of normalizing in the claim. Since

there is not specific process described to limit the examiner from interpreting in a reasonably broad manner, the examiner took the dictionary definition of "normalizing," which is described in *The American Heritage Dictionary of the English Language Third Edition* as "to make normal, especially to cause to conform to a standard or norm." When such definition is applied to the claim language, the Liu reference reads on the claim. Liu describes that when the reader reads the bar code, the code is converted into a memory address pointer pointing to the address of the memory area in which the sound is stored. The word "converted" indicates a change in the form from one to another, which in this particular case, the code is changed to a memory address pointer. Such change makes the barcode symbol into a form that is utilizable, or in other words normalized, such that the language learning apparatus can further process to locate the sound and output the sound. Therefore, the examiner believes that the limitation is taught by the Liu reference.

The Applicant submits that Liu also fails to disclose, "storing an object identifier indicative of a plurality of read labels associated with an object into an index repository." The examiner respectfully disagrees.

In the Office Action, the examiner has indicated that when the reader reads the bar code, the code is converted into a memory address pointer pointing to the initial address of the memory area in which the digital sound or pronunciation is stored (Page 2, paragraph 3). The memory address pointer is an object identifier, identifying the memory location of the object to be outputted. For further explanation of the association between the digital codes and the initial memory address location, the examiner points to column 3, lines 65+ of the Liu reference. Liu discloses that the digital code "0001" is appointed to represent the English characters "a", digital

code "0002" the English word "able" and so on. The digital code "0001" is converted into address pointer "0000" by being proceed by the digital code to initial memory address pointer converter. The second digital code "0002" converts into pointer "mmmm." The examiner notes that the Liu references teaches that instead of reading barcodes that indicate "a", "b", "l" and "e" individually, the code can represent a word including multiple letters, which in this case, "0002" represents a whole word that includes multiple letters such as "able." And for that reasons, the examiner believes that an object identifier indicates a plurality of read labels because one object identifier can represent a whole word that replaces a plurality of read labels that contains a single letter or character.

The Applicant argues that "there is no showing of any objective teachings to combine Liu and Savchenko" and that "there is no showing that either of the applied references, or any other prior art, even remotely suggests such a combination." The examiner respectfully disagrees.

The examiner submits that it is not necessary that the references actually suggest, expressly or in so many words, changes or possible improvements in order to combine references together and that the references are shown to indicate that the given invention or recited claims are presented in the prior art. In re Scheckler, 58 CCPA 936, 438 F. 2d 999, 168 USPQ 716 (1971). Although it is not necessary that the references actually suggest the changes or improvement, the examiner understands that there must be some reason why one skilled in the art would be motivated to make the proposed combination of references. In re Nomiya, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make modification be expressly articulated and the combination of references is what the combination

of disclosures taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971).

One of the reasons for combining Liu and Savchenko is the use of multimedia or digital media contents. Liu teaches an apparatus that stores and outputs digital sound data. Savchenko also teaches a storing and delivering multimedia content. Although the two references main concentrate their patent disclosure or invention from a different point of view, both inventions involve the storing and delivering digital media contents and one skilled in the art would relate these two references together. Savchenko talks about the authoring a media and an example how it relates to optimizing the memory on column 3, lines 4-27. Specifically, Savchenko discloses, "this scheme allows an author to minimize and optimize bridge memory requirements. Specifically, the author can reduce bridge memory requirements by allowing media clips to be carrier clips...in addition, the scheme accounts for storage device characteristics such as the availability of no-latency branches to further reduce bridge memory." Providing such disclosure, there is a motivation to combine Savchenko to the teachings of Liu, which is to optimize the memory use during playback and seamless output. And as a result of Liu and Savchenko's combination, the resulting device would become an authoring device and the content would become an authoring content. Applicant's arguments regarding

The Applicant submits that Liu does not include "programming." However, the examiner respectfully disagrees. The examiner points out that the Applicant does not specifically explain or describe limitation "programming." According to *The American Heritage Dictionary of the English Language Third Edition*, the term programming is defined as "to provide with a set of instructions for solving a problem or processing data." Liu teaches an apparatus that performs

various functions and process in a particular order and such ordered functions and process are considered as "programming."

With respect to Applicant's arguments regarding Liu, Savchenko and Conley fails to teach or suggest "authoring content relevant to each of the plurality of objects in the tour" and "binding the content to an object identifier in the index table repository which corresponds to the relevant one of the plurality of objects in the tour whereby the content is renderable when label is detected by a playback device without regard to the order in which the content was authoried," the examiner respectfully disagrees. The Applicant appears to disagree with use Conley because Conley is directed to customized web browsing and marketing software. However, since the Applicant does not define "tour" specific enough for the examiner to interpret the term in a manner that the Applicant is meant to provide, the examiner must take into consideration of various meaning and the use of the term "tour." In this case, the examiner interpreted the term tour as an organized group of items. Liu teaches a group of organized memory database and contents that may be considered as a tour. However, the two references, Liu and Savchenko does not specifically disclose the use of the term "tour" and for clarification purposes, Conley was utilized. Conley teaches a database and the use of a group called tour. Since both Liu and Conley teaches a database having plurality of items in the memory, such similarity motivates the examiner to combine the two references and clarifies that the group is called a tour. Therefore, Liu as modified by Savchenko and Conley meet the claimed invention.

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bansal, U.S. Patent Application Publication 2002/0000468, discloses system and method for scanning and storing universal resource locator codes.

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 571-272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kumiko C. Koyama
Kumiko C. Koyama
June 1, 2004

Diane I. Lee
DIANE I. LEE
PRIMARY EXAMINER